



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

17

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/560,570 | 12/12/2005 | Michael Josenhans | 915-006.099 | 6653 |

4955 7590 09/13/2007
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP
BRADFORD GREEN, BUILDING 5
755 MAIN STREET, P O BOX 224
MONROE, CT 06468

| |
|----------|
| EXAMINER |
|----------|

AKBAR, MUHAMMAD A

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2618

| | |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

09/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/560,570

Applicant(s)

JOSENHANS ET AL.

Examiner

Muhammad Akbar

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-14,16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-14,16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendments filed 06/08/2007 have been entered. Claims 1, 4-6, 11, 12, 14 and 16 have been amended. Claims 2, 7, 15 have been cancelled. Claim 17 has been added.

Response to Arguments

2. Applicant's arguments with respect to claim(s) 1, 4-6, 11, 12, 14 and 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim(s) 1, 3-6 and 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Lindholm (European Patent Pub. No. EP 1091540 A2).

Re claim 1, Lindholm discloses a mobile communication device with cover (see fig. 1) comprising:

a keyboard (2 of fig. 2);

Art Unit: 2618

a display (3 of fig. 1,2);

a cover processor (18 of fig. 2) connected to keyboard (2);

a common Bus interface(30 of fig. 11) for connection of cover processor to a mobile communication module and common bus interface is adapted to operate with a plurality of mobile communication modules via connector (23, 25 of fig.10) (see fig.1-11, para[0010],[0020],[0022]); and

wherein said LCD display (3 of fig.2) is connected to said common Bus interface (30) for connecting said display (i.e. input/output interface (38 of fig.11)) to a processor via LCD driver of a mobile communication module (see fig.2,10,11 and para[0022]).

Re claim 3, as discussed above with respect to claim 1, Lindholm further discloses cover (21, 22 of fig.3,4) further comprises a controller (31 of fig.11 and para[0021], [0022]).

Re claim 4, as discussed above with respect to claim 1, Lindholm further discloses mobile device cover comprises a energy management module (i.e. battery module) which is essentially supplying power to the communication device (see 84.p of fig. 9).

Re claim 5, as discussed above with respect to claim 1, Lindholm further discloses exchangeable mobile communication device cover (21,22) further comprises

a antenna which is connected to the transmitter/receiver (20 of fig. 2) hole (slot) for receiving a communication module (see fig.1-2, para[0014]).

Re claim 6, Lindholm discloses a mobile communication module having a communication network transmitter/receiver (19 of fig.2) and antenna i.e. radio interface for connecting a mobile communication network, and interface (30) to connect said communication module to said cover (21,22) and having a keypad (2 of fig.1) and a display (3 of fig.1) (see fig. 1,2,9,11 and para[0010],[0013],[0014]);

and communication manager module (82) does not have display (see fig.9);

and said Bus interface(30) is configured by the controller (31) to connect display (3) and cover (21,22) (see fig.1,2,10,11,12 and para [0021],[0022])

Re claim 8,9,10 as discussed above with respect to claim 6, Lindholm further discloses a mobile telecommunication device module having a transmitter/receiver interface (19 of fig.1) with antenna i.e. radio interface which can be applied is a cellular phone interface or cordless interface networking connection (see fig.1-2 and para[0014]); and

Lindholm furthermore discloses mobile device cover comprises an energy management module (84.p of fig. 9) (i.e. battery module) which is essentially supplying power to the communication device and having a minimal interface to provide basic communication functionality (see fig.9,11 and para [0027]).

Re claim 11, Lindholm discloses exchangeable mobile communication device cover comprises intelligent identification unit (20 of fig.10) being able to response to a request by hand shaking procedure (see fig. 10 and para[0035]) having:

- a keyboard (2 of fig. 2);

- a display (3 of fig. 1,2);

- a cover processor (18 of fig. 2) connected to keyboard (2);

- a common Bus interface(30 of fig. 11) for connection of cover processor to a mobile communication module and common bus interface is adapted to operate with a plurality of mobile communication modules via connector (23, 25 of fig.10) (see fig.1-11, para[0010],[0020],[0022]); and

- wherein said LCD display (3 of fig.2) is connected to said common Bus interface (30) for connecting said display (i.e. input/output interface (38 of fig.11)) to a processor via LCD driver of a mobile communication module (see fig.2,10,11 and para[0022]); and

- a mobile communication module having a communication network transmitter/receiver (19 of fig.2) and antenna i.e. radio interface for connecting a mobile communication network and Bus interface (30) to connect said communication module to said cover (see fig.2,9,11 and para[0013];[0014]),

- and communication manager module (82) does not have display (see fig.9);

- and Bus interface(30) is configured by the controller (31) to connect display and cover (see fig.10,11,12 and para[0021];[0022])

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim(s) 12,13,14 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Mager (U.S. Pub. No. 2003/0017839 A1).

Re claim 12, Mager discloses a mobile electronics communication devices wherein uses interchangeable mobile device cover (100 of fig. 1) having a keypad (333 of fig.3) and a display(330 of fig.3) which is a detachable from main body (see fig.1,para[0020]) and automatically enable electronics components (300 of fig.3) by hand shaking for its operation with various mobile communications module via interface (i.e. mobile communication devices having a detachable intelligent mobile communication device cover); and mobile communication device module further comprising:

key buttons for receiving input data (140 of fig. 1) at the cover (100), converting input data according to a specified protocol (modulated and demodulated) by the controller (microcontroller or microprocessor 515 of fig.4) and transferring converted

input data via bus (511 of fig.4) to the mobile communication module (138 of fig.3) wherein processed of transferred input data by the digital signal processor (DSP) (see fig.1-4,para[0032], [0033], 0045)); and

processing display information at the mobile communication device (138 of fig.1) and communicate said information to said display (330) of said cover by bus interface of said cover (see fig.1,3,4,5 and para[0041],[0045],[0052]).

Re claim 13, as discussed above with respect to claim 12, Mager further discloses mobile communication module further comprises managing the output data and generating/receiving (output/input data) output data by the central processing unit (335 of fig.3) in the mobile communication module (138 of fig.3), converting output data according to a specified protocol (modulated and demodulated) by the digital signal processor (DSP 337 of fig. 3) and transferring converted output data via bus to the mobile communication interchangeable cover (100 of fig. 3) wherein processed of received output data by the display unit (160 of fig.1) at the cover (see fig.1-4, para[0020], [0031]).

Re claim 14, as discussed above with respect to claim 12, Mager furthermore discloses mobile communication module comprises central processing unit (CPU) (335 of fig.3) that can execute software/firmware program and programming information (code) can be stored in the memory (336 of fig.3) which is accessible by CPU that can run the computer (see fig.1-4,para[0031]) [i.e. CPU can run the software and can stored

program code in a computer readable medium which is performed all the steps in the claim 12].

Re claim 17, Mager discloses a mobile electronics communication devices wherein uses interchangeable mobile device cover (100 of fig. 1) comprising:

key buttons for receiving input data (140 of fig. 1),
displaying data at the display (330 of fig.3);

Converting (i.e. processing) input data according to a specified protocol (modulated and demodulated) by the controller (microcontroller or microprocessor 515 of fig.4) and transferring converted input data via bus (511 of fig.4) to the mobile communication module (138 of fig.3) wherein processed of transferred input data by the digital signal processor (DSP) (i.e. adapted with plurality of communication module)(see fig.1-4,para[0032], [0033], 0045]); and

processing display information at the mobile communication device (138 of fig.1) and communicate said information to said display (330) of said cover by connecting with processor (335) (see fig.1,3,4,5 and para[0034],[0041]).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

Art Unit: 2618

ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mager (U.S. Pub. No. 2003/0017839 A1) and in view of Engstrom et al (U.S. Pub. No. 2003/0017848 A1)

Re claim 16, as discussed above with respect to claim 12, Mager further discloses a computer program software comprises commands or instruction (program code) which is executed by the processor and accessible to personalized information in

Art Unit: 2618

the mobile electronics component (see para[0027], [0031]). But Mager failed to disclose explicitly that information is downloadable from the server. However, Engstrom teaches personalized electronics device with smart covering (same field of endeavor) comprises random access memory, programmable read only embedded memory, central processing unit which is execute the instruction (program code), universal resource locator (URL) and resource server, and upon connecting with main logic wirelessly access resource server and acquire data (i.e. downloaded data or information from server)(see fig.7a-7b,para[0045],[0051]

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify mobile device cover operational steps run by computer program and stored in a memory (as taught by Mager) by incorporating downloadable system which can be downloaded information from the server as taught by Engstrom) to improve exchange information quick and safely from server without lost data or information in mobile communication device.

Conclusion

11. The amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed

Art Unit: 2618

within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muhammad Akbar whose telephone number is (571)-270-1218. The examiner can normally be reached on Monday- Thursday (7:30 A.M.- 5:00P.M). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lana Le can be reached on 571-272-7891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Art Unit: 2618

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MA

Lana D. Le
8-30-07

LANA LE
PRIMARY EXAMINER